

EXHIBIT G

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

TYSON FOODS, INC., et al,)

Defendants.)

4:05-CV-00329-TCK-SAJ

THE VIDEOTAPED DEPOSITION OF

DAVID CHAPMAN, produced as a witness on behalf of
the Defendants in the above styled and numbered
cause, taken on the 6th day of April, 2009, in the
City of Tulsa, County of Tulsa, State of Oklahoma,
before me, Lisa A. Steinmeyer, a Certified Shorthand
Reporter, duly certified under and by virtue of the
laws of the State of Oklahoma.

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1 pay to undo the problem.

2 Q If the problem couldn't be undone, would that
3 affect your survey results?

4 A I don't think so, but I'd have to think some
5 more about that, but as I sit here today, I don't
6 think so.

02:18PM

7 Q So even if it was simply false, that adding
8 alum, doing these alum treatments -- strike that.
9 Even if doing this alum program that you've
10 described wouldn't return the water to the clarity
11 levels of 1960, it wouldn't make any difference to
12 the outcome of your survey?

02:19PM

13 MS. XIDIS: Objection to form.

14 A There were multiple questions in there. I'm
15 trying to figure out which ones to answer.
16 Please --

02:19PM

17 (Whereupon, the court reporter read
18 back the previous question.)

19 A What matters is what the respondents
20 understood. What matters is what the respondents
21 understood and did the respondents understand that
22 the water clarity could be returned. If the
23 respondents, which we think we did a very good job
24 in describing the situation, describing a fix and
25 understanding how they reacted to that fix, as long

02:19PM

02:20PM

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1 as the respondents took this as being a plausible
2 scenario to return the water clarity back to the
3 conditions they cared about, then whether or not it
4 was actually a program that could be actually
5 implemented in this time frame wouldn't change those
6 results.

02:20PM

7 Q So if I understood you correctly, you're
8 telling me that there does not need to be a factual
9 basis for undoing the harm?

10 A There needs to be a plausible basis to the
11 respondents. It's only a mechanism by which we tell
12 the respondents we can return the environment to the
13 condition it should be in, and it's only that as a
14 mechanism. So whether or not that mechanism
15 actually exists at that time is not the key issue.

02:20PM

02:21PM

16 Q You used the word plausible basis to the
17 respondents. My question was, does there need to be
18 a factual basis for undoing the harm?

19 A Again, this is all about how the respondents
20 respond to the information we present them, and this
21 discussion here on this part here is about whether
22 or not the respondents understood the information we
23 provided to them and found the fact that there was
24 actually some solution in their minds that they
25 could get the cleaned-up environment, and that's

02:21PM

02:21PM